REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

No amendment is made in this reply. Claims 1, 27, and 53 remain pending in the application and are patentable.

Claim Rejections

Claims 1 and 53 were rejected under 35 U.S.C. § 102 as being allegedly unpatentable over U.S. Patent No. 6,493,385 B1 to Sekiguchi et al. ("Sekiguchi"). Claim 27 was rejected under 35 U.S.C. § 103 as being allegedly unpatentable over Sekiguchi. These rejections are respectfully traversed.

Claim 1 recites, inter alia, "automatically scaling the coding mode biases as a function of the number of bits used to represent samples of the input image for the video frames being compressed." Sekiguchi does not disclose or suggest the claimed subject matter. In fact, Sekiguchi does not even once mention coding mode biases and, as such, is irrelevant to claim 1. For at least these reasons, claim 1 is believed to be allowable over Sekiguchi.

The technical nature of the disclosure of Sekiguchi indicates that the rejection is apparently based on an incorrect reading of Sekiguchi. Sekiguchi discloses a method for selecting an appropriate table of coding modes in order to increase the number of available coding modes without increasing amount of overhead information.

The problem that Sekiguchi sets out to solve is described as follows: "[I]n cases where the number of coding mode types is small, an information amount of the coding modes in the coded data becomes small, so that an overhead information amount can be made small." Sekiguchi at col. 1, lines 45-48. "In

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contrast, in cases where a large number of coding modes for
various picture-to-be-coded signals are registered in advance to
improve a quality of a decoded picture, the amount of the coding
modes existing in the coded data is increased, so that the
amount of the overhead information is increased." Sekiguchi at
col. 1, lines 53-58.

Sekiguchi's solution to this problem is to group sets of
coding modes into tables. Sekiguchi then signals in the header
information the coding table that is used for all of the
following blocks. The coding information for each block then
selects the coding mode from that table. See Sekiguchi at
Figure 5 (reproduced below).

FIG.5
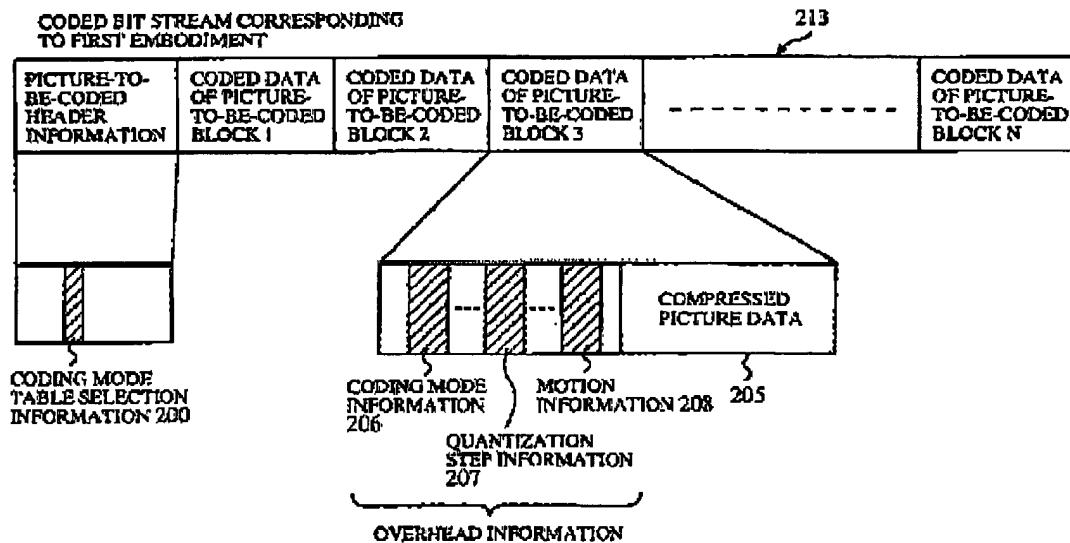
In Sekiguchi Figure 4 (reproduced below), the depiction of
a switch at 24 selecting between coding mode tables further
underscores that Sekiguchi discloses the selection between
different tables of coding modes.

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FIG.4

INPUT PICTURE SIGNAL 201
PREDICTED ERROR SIGNAL 202

JUDGMENT PROCESSING UNIT

PICTURE-TO-BE-CODED SIGNAL 203
CODING MODE INFORMATION 206

CODING MODE TABLE SELECTION INFORMATION 200

CHANGE-OVER UNIT

CODING MODE TABLE A

CODING MODE TABLE B
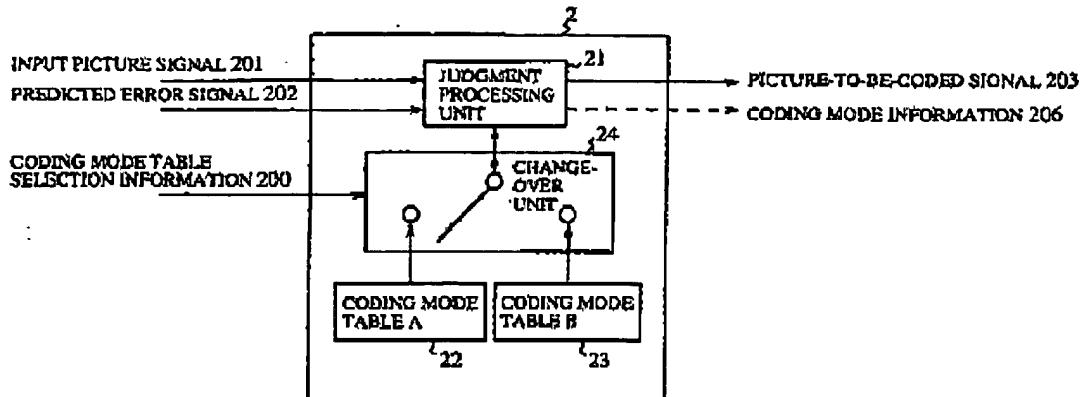
Sekiguchi emphasizes in the text that this solution increases the number of coding modes without increasing the overhead for specifying the coding mode information: "Therefore, even though the number of coding modes is increased, an amount of coding mode information is not increased." Sekiguchi at col. 3, lines 20-22. This statement is repeated several times. See Sekiguchi at col. 3, lines 43-45, col. 3, lines 59-61, and col. 4, lines 6-8.

The reference also emphasizes that restricting the amount of overhead does not adversely affect the decoding of the coded data: "Therefore, even though an amount of the coding mode information existing in the coded bit stream is made small, the coded data can be accurately decoded." Sekiguchi at col. 4, lines 38-40. This statement is repeated several times. See Sekiguchi at col. 4, lines 60-62, col. 5, lines 10-12, and col. 5, lines 26-28.

Thus, Sekiguchi states time and again that what is disclosed is a method of selecting a particular coding mode table which includes all of the coding modes used for the following N blocks in the bit stream. See Sekiguchi at Figure 5.

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Accordingly, Sekiguchi is entirely different from the claimed subject matter. For example, Sekiguchi does not disclose "coding mode biases," "automatically scaling the coding mode biases," or the scaling being "a function of the number of bits used to represent samples of the input image for the video frames being compressed." All of these features, among others, are features recited in claim 1. Accordingly, Sekiguchi fails to disclose or suggest all of the limitations of claim 1. Applicant respectfully submits that the Office Action fails to meet its burden of making a prima facie showing of anticipation or obviousness of this claim. For at least these reasons, claim 1 is believed to be allowable over Sekiguchi.

For similar reasons, claims 27 and 53 are also believed to be allowable over Sekiguchi.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant disagrees with the finality of the Office Action because Applicant's previous amendments did not necessitate the new grounds of rejection presented in the Office Action.

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Applicant asks that all claims be allowed. No fees are
believed to be due at this time. Please apply any charges or
credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 8, 2005
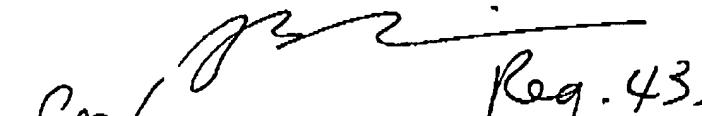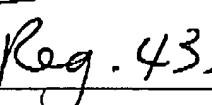
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